



Practitioner Docket No. VSI-020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: JOHN MERVA, ET AL

Application No.: 09/927,187
 Filed : August 10, 2001
 For : Apparatus and Process For Simultaneously Handling A Plurality Of Symbology
 Encoded Articles

Group No.: 2876

Examiner : LEE, SEUNG H.

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
 (37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 29, 2004, finally rejecting claims 1-24.

1. STATUS OF APPLICANT

This application is on behalf of a small entity..

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10*
 (When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XXX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10*

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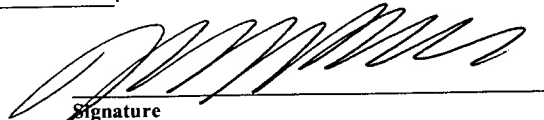
TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____

11/03/2004 HALI11 00000027 502966 09927187

01 FC:2401 170.00 DA
 02 FC:2251 55.00 DA

Date: October 29, 2004


 Signature

MORRIS I. POLLACK, Reg. No. 20,270
 (type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity \$170.00

Notice of Appeal fee due \$170.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee \$55.00

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$170.00

Extension fee \$55.00

TOTAL FEE DUE \$225.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$225.00 to Deposit Account No. 502966.

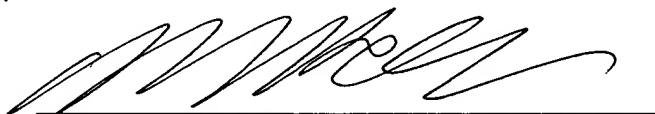
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 502966.

Date: October 29, 2004



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